

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.382 OF 1997

Mohan P.C.Ratnam Reddy	.. Petitioner.
Vs.	
The Municipal Corporation of Greater Bombay.	.. Respondents.

Mr.M.U.Pandey for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 31ST AUGUST, 2005

P.C.:

. Mr.Pandey, learned counsel for the petitioner after arguing this petition for sometime prayed for withdrawal of this petition with liberty to the petitioner to raise contention as to the effect of subsequent changes in the rules, notifications and circulars issued by the defendant-corporation on the impugned notice under section 351 of the Bombay Municipal Corporation Act before the trial Court. I find no difficulty in granting such liberty to the petitioner. The petition is, accordingly, allowed to be withdrawn with liberty to the petitioner as prayed for. If such contentions are urged by the petitioner, same may be dealt with in accordance with law. While granting the liberty I shall not be understood to have expressed any opinion on the application of changes in the rules or issuance

of notifications and circulars by the

defendant-corporation. The trial Court shall deal with such submissions on merits in accordance with law and uninfluenced by the liberty granted by this court. The suit is pending since 1978. Keeping that in view the trial Court shall endeavour to dispose of this suit as expeditiously as possible and preferably within a period of nine months from the date of receipt of this order. The petitioner is directed to produce a copy of this order before the concerned Judge within four weeks from today.

(D.B.Bhosale, J.)